There are not a few books entitled as Fiqh al-Akbar. Most of these are ascribed to Abu Hanifah al-Nu'man b. Thabit, a few to some Hanafites, and a single one to Muhammad b. Idris al-Shafi'i.

The Fiqh al-Akbar Books ascribed to Abu Hanifah, rahimahullah, are actually two in number:

– a version reported through the transmission of his son, Hammad b. Abi Hanifah;

– and one reported through the transmission of his student, Abu Muti' al-Balkhi.

Its unclear to most readers, and to many specialists, how these texts are related to eachother, and how other 'works' ascribed to Abu Hanifah, for example the many so-called Wasiyyah's, are related to these.

The Riwayah of Fiqh al-Akbar transmitted by Hammad exist in many manuscripts.

They are dated in:

1000 H or around, 1064 H, 1098 H, 1155 H, 1235 H, and 1244 H. Many other manuscripts are dated to the 12th and 13th centuries H.

The same work – but in commentary – exist also in many manuscripts dated in the 10th, 11th, 12th and 13th century. Some old commentaries – which keep the Fiqh al-Akbar in the Riwayah of Hammad – are dated in: 920 H, 925 H, 1012 H, 1019 H, 1019 H, 1071 H, 1078 H, 1080 H, 1081 H, 1086 H, 1087 H, 1094 H, 1112 H, 1114 H, 1116 H, 1128 H, 1137 H, 1139 H, 1141 H, 1142 H, ca. 1150 H, 1212 H, 1213 H, 1253 H, 1274 H etc.

The Riwayah of Fiqh al-Akbar transmitted by Abu Muti' exist in lesser quantity – both as independant work or commentary.

They are dated in:

A unique early manuscript with the copy-year 761 H, and another from 996 H. There are also early manuscripts of Cairo, Leiden, London and elsewhere.

The commentaries which preserve the work are dated in: 687 H, 761 H, 996 H, 1073 H, and 1142 H.

Both versions of the Fiqh al-Akbar have therefore many manuscripts to rely on; the Riwayah of Hammad is more popular, but later in terms of date and authenticity, while the Riwayah of Abu Muti' is scarcer, but older and more reliable.

The Fiqh al-Akbar in the Riwaya of Abu Muti' is also known as Fiqh al-Absat. Fiqh al-Akbar, The Greatest Insight, is a smaller booklet than the Fiqh al-Absat, The Widest Insight. The Fiqh al-Akbar through Abu Muti' is actually known as Fiqh al-Absat – as most manuscript state so – and not Fiqh al-Akbar.

Both works are published, i.e. al-Fiqh al-Akbar through Hammad b. Abu Hanifah and Abu Muti' al-Balkhi, under the following titles:

al-Fiqh al-Akbar, published in 1323 in Cairo, 1342 in Hayderabad, translated into Urdu in Delhi in the year 1289, and into Punjabi in Lahore 1890 (Hammad's version)

al-Fiqh al-Absat, ed. Muhammad Zahid al-Kawthari in: al-'Alim wa'l-Muta'allim, Cairo 1368/1949, p. 39-60. Before it has been published in the years 1307 and 1324 (Abu Muti's version)

As for the commentaries: the most well-known is by Mulla 'Ali al-Qari (d.1014), who commented on Hammad's version. It is known as al-Manh al-Azhar, and it has been published in Tashkent 1312 and in Cairo 1323. Later it has been reprinted in Cawnpore 1327 and Cairo 1955. The 1010 Hijri dated manuscript is the author's authograph, housed in the Chester Beatty Library in the UK.

Another well-known commentary of Hammad’s Riwayah is by the hand of Abu’l-Muntaha al-Magnisawi (d.989). It has been published in Kasan 1896, Delhi 1306 and Hayderabad 1321.

Another published – but scarce – commentary of the Fiqh al-Akbar in the Riwayah of Hammad is: the Sarh of al-Pazdawi (d.482/1089), published in London 1862.

As for the commentaries on Abu Muti’s Riwayah, we have a unique early one (as indicated above) by a certain Ibrahim b. Isma’il al-Malati (probab. 5th century) which is – according to F. Sezgin – identical with the Sarh Fiqh al-Akbar ascribed to al-Maturidi. If that’s correct, then we’ve probably to do with a similar version of Abu’l-Layth al-Samarqandi’s Sarh Fiqh al-Akbar [which has wrongly been published under al-Maturidi’s name]. The Sarh of al-Malati is dated in 761 in one ms. It has been published in Hayderabad in 1321 according to Sezgin.

Another commentary by the earlier ‘Ata b. ‘Ali b. Muhammad al-Juzajani (wrote before 687/1288) hasn’t been published yet. The oldest manuscript for this work is from the year 687.

*The famous Sarh al-Fiqh al-Akbar ascribed to Abu Mansur al-Maturidi is actually by the hand of his student: Abu’l-Layth al-Samarqandi. It has been published in Hayderabad in the year 1321 in: al-Rasa’il al-Sab’a, p. 1-28. It has been republished on the basis of many manuscripts in an excellent edition by Hans Daiber (The Free University of Amsterdam) as: The Islamic Concept of Belief in the 4th/10th Century. Abu’l-Layth al-Samarqandi’s Commentary on Abu Hanifah (died 150/767) al-Fiqh al-absat, Tokyo 1995.

The Authenticity Claim of the Fiqh al-Akbar and Fiqh al-Absat-works

There’s no convincing evidence in favor of the authenticity of these works as writings by Imam Abu Hanifah, rather there’s more evidence against it and clear indications of tampering and forgery.

Fiqh al-Akbar – version of Hammad b. Abi Hanifah

The Fiqh al-Akbar in the Riwayat of Hammad b. Abi Hanifah on the authority of Imam Abu Hanifah is a false work. It is not by the Imam Abu Hanifah Nu'man b. Thabit al-Kufi, rahimahullah, as many biased Hanafites from among the Maturidiyyah and Ash'ariyyah wants us to believe.

The work has been transmitted through Muhammad b. Muqatil al-Razi from 'Isam b. Yusuf from Hammad b. Abi Hanifah on the authority of his father, the Imam Abu Hanifah. Are these men trustworthy and reliable transmitters? Are they dependable in ascribing a book to the Imam of the Muslims, Abu Hanifah? Let us take a look:

1) Muhammad b. Muqatil al-Razi (d.242 or 248).

Imam al-Bukhari, author of the most authentic book after the Qur'an, said about him:

"I rather fall from the sky on earth than to report on the authority of Muhammad b. Muqatil!"

al-Hafidh al-Dhahabi said about him:

"Weak (da'if)."

al-Hafidh Ibn Hajar said about him:

"Weak (da'if)."

2) 'Isam b. Yusuf al-Balkhi (d.215).

Muhammad b. Sa’d said about him:

“He was considered by them to be weak in Hadith”

Ibn ‘Adi mentioned:

“He reported from al-Thawri and from others traditions not followed by [other reporters].”

3) Hammad b. Abi Hanifah.

Ibn ‘Adi declared about him:

“I do not know a established transmission from him.”

al-Hafidh al-Dhahabi said:

“Ibn ‘Adi and others weakened him because of his memorisation.”

Such is the Isnad of this Fiqh al-Akbar – ascribed falsely – to Imam Abu Hanifah, containing the like of Muhammad b. Muqatil al-Razi and two weak transmitters!

It is not fair from the Ahl al-Kalam to reject the Fiqh al-Absat in the riwayat of Abu Muti’ al-Balkhi while keeping silent on this baseless transmission. In fact, we shall show that the work known as Fiqh al-Absat or Fiqh al-Akbar in the transmission of Abu Muti’ al-Balkhi is not at all Abu Hanifah’s book, but could be ascribed to al-Balkhi himself. On top of that, we shall reveal that the transmission of Abu Muti’s work is more dependable than that of Hammad b. Abi Hanifah’s. Before we do that we’ll have to comment on the weak Sanad of the Fiqh al-Akbar mentioned above.

Its true that some scholars have authenticated books and epistles ascribed to authors with no known or reliable chain of transmission, or a chain of transmission with defects. It is not my intention to discuss this topic, I'm also not qualified in this, but it must be remembered that those who ascribe a book to one or another do that not just on the basis of the Sanad. Many consider indications beside the men in the chain, internal and external evidences such as: the lenght of the chain, its nature of transmission (i.e. through kitaba, wijada or else), the text it carries, the confirmation of other authors as his book, or its denial, the early date etc. All these considerations should be weighed in rejecting or affirming a booklet by anyone, especially by an Imam of Islam!

If we consider some of these evidences, we shall see that confirmation of rejecting this book – al-Fiqh al-Akbar (riwayat Hammad) – is obvious for any knowledgeable reader! We shall in fact reveal that the book with the baseless Sanad and the defunct Matn is a concoted work ascribed falsely – without shame – to Imam Abu Hanifah by the innovating Mutakallimun from the Ash'ari-Maturidi types.

We've exposed the Isnad – containing two weak transmitters and a man like Muhammad b. Muqatil al-Razi!

As for the Matn, which confirms its fabrication more than the Sanad, we shall reval that now:

The actual writer of the Fiqh al-Akbar said:

"He has been, everlasting, and He is, everlasting, with His Names and Attributes, those related to His Essence and those related to His Acts (al-dhatiyyah wa'l-fi'liyyah). As for those related to His Essence, they are Life, Power, Knowledge, Speech, Hearing, Seeing, and Will. As for those related to His Acts, they are Creating, Sustaining, Originating, Fashioning, Making, and other things from the Attributes of Action (sifât al-fi'l)."

As for the criticism which will ridicule the falsifier and those who follow him, we say:

a) As for the seperation of the Attributes into al-Dhatiyyah and al-Fi'liyyah, then this is an obvious anachronism!

Imam Abu Hanifah lived in the early half of the second century, born in 80 AH and died in 150 AH. He belongs to the Salaf, considered to be even a Follower! If people would consider the speech of these Salaf concerning the Attributes than none will found any distinction made by them of the Attributes of Allah into: Essential and Acting Attributes! Rather, the Salaf use to speak about all the Attributes in a uniform way. It were the Khalaf, those from the time of Imam Ahmad (d.241) and thereafter, who discussed the Attributes by seperating them into all kinds of types: dhâtiyyah, fi'liyyah, 'aqliyyah, khabariyyah, ma'âni, ma'nawiyyah, salibiyyah, jismiyyah etc. None of this type of classification was known to the Salaf, let alone to Imam Abu Hanifah one of the 'middle' Salaf!

This alone makes the attribution of such a work – which has this speech in it – very doubtfull – nay I would say rejected. Even if we consider that Imam Abu Hanifah, as some has wrongly claimed, was the first one (i.e. the originator) who divided this type of Attributes as a mean for educational purposes. For if this was true, i.e. being the founder of this seperation of Sifat al-Dhatiyyah and Fi'liyyah, than his early followers and the later scholars would have mentioned this beforehand in the first 3 centuries that followed him. Since this is not the case, rather they ascribe this type of seperation to others without any reference to the Imam's innovative classification, it must be necessarily be rejected as being his. I say: Imam Abu Hanifah is free form this seperation!

b) As for the author's enumeration of the Attributes into 7 Essential Attributes (!), I say the following:

Ponder well, O Muslim, about the author's claim that Imam Abu Hanifah, who died in 150 AH rahimahullah, mentioned 7 Sifât al-Dhatiyyah, namely: Life, Power, Knowlegde, Speech, Hearing, Seeing and Will. He did not mention more, nor less – but seven Essential Attributes! How blind you must be in not seeing that this doctrine, i.e. the mentioning of 7 Attributes, has been innovated after the Salaf!? Was not the first affirmer of the seven Attributes Ibn Kullab and the Kullabiyyah!? Were they not imitated in this by the Ash'arites and later-Maturidites? These 7 Attributes have been called by the Ashâ'irah the Attributes of Meaning (sifât al-ma'ani), and they connect them with His Dhât. In fact, Abu'l-Hasan al-Ash'ari, al-Kullâbi, himself stated almost the exact words as pseudo-Abu Hanifah, for he said: "They have agreed that Allah has Life, everlasting Living by it, Knowledge, everlasting Knowledgeable by it, Power, everlasting

Powerfull by it, Speech, everlasting Speaking by it, Will, everlasting Willing by it, Hearing and Seeing, everlasting Hearing and Seeing by it." So see, O Muslim, and compare the two speeches together and ponder how deceitfully they projected back the Kullabite-Ash'arite creed to one of the Salaf! Would that they have hide it better, i.e. falsified and concoted it in a more deceitfull way, than there would have been a debate; but such evidential speech form the innovators of the Khalaf being ascribed to one of the Salaf, not even a very late Salafi, must be exposed.

As the reader may see from the above, there's no doubt any more – if Allah, ta'ala, wills – that the book Fiqh al-Akbar (riwayat Hammad) is a falsely ascribed work to the Imam Abu Hanifah. Not just because of the Sanad – which indicate its problematic survey – but more so because of the Matn, because every reasonable man knows that what did not exist before can not be ascribed to one who lived prior to its existence. The above makes this clear, as will the following – Insha'Allah.

The actual writer of the Fiqh al-Akbar said:

"Our pronouncing (lafzinâ) of the Qur'an is created, and our recitation of the Qur'an is created, but the Qur'an itself is uncreated."

c) As for the statement, "Lafzina bi'l-Qur'an makhluq..", it is the most evident anachronism ever seen in this tract! There's no Might nor Power than with Allah!

The controversy of the uttering, pronouncing or reciting the Qur'an and the debate concerning its nature, i.e. being created or uncreated, is an innovation that started in the third century of Islam, more than a half century after Imam Abu Hanifah! This discussion in fact happened after the Mihna, i.e. after the controversy of the Qur'an itself. When the scholars of the Ahl al-Sunnah all agreed that the Qur'an is uncreated, beside the Jahmites, the People of Truth divided on the following issue: is our human recitation of the Qur'an created, because a creature utters it, or uncreated, because Allah Spoke it? The first who actually spoke on this matter is Bishr b. Ghiyat al-Marisi (d.218), one of the leading Hanafite Jahmites, in the time of Caliph al-Ma'mun; and the one who made it famous and spread it among the Sunnites was al-Husayn b. 'Ali al-Karabisi (d.248), a Shafi'ite Kullabi. These facts, especially the widespread knowledge among scholars of al-Karabisi's involvement in it, are well-known. So how can Imam Abu Hanifah, who lived between 80-150 have foreseen this controversy by posing his answer to it!?! By Allah, this is a manifest lie. On top of this: its well-known that the Imams of the Ahl al-Sunnah do not manifest

any direct answer on this controversial and innovative issue; none spoke of the Lafz being created or uncreated, rather they did not venture about this. Agreement, as stated authentically, was there on two connected things: the Qur'an being the Speech of Allah and uncreated, and the speech of the creatures with all of their attributes being created. So if Abu Hanifah would, which can not as preceded, speak about such an issue than he would not venture about it – wa-Allahu A'lam.

The above is evident in favor of rejecting the attribution of such a book to one of the Imams of the Muslims, Abu Hanifah, rahimahullah. Also evident is that the author of this work did not knew anything concerning these well-known matters of history, and that he in fact testifies to his own ignorance and deception!

The actual writer of the Fiqh al-Akbar said also:

"The Qur'an is Allah's Speech, it is Eternal"

d) The criticism concerning this similar to what went before – i.e. it is an anachronism of Ash'arism!

Many claim that the Qur'an is Qadim, whil this word has not been related by any of the Salaf! It has not been authentically reported by any Hadith or Athar. The first who declared the Qur'an to be Qadim was Abdallah b. Sa'id b. Kullab, Imam of the Kullabiyyah and Ash'ariyyah and whoever followed him. What has been authentically reported are two phrases concerning its nature: ghayr makhluq and laysa bi-makhluq. The first means 'uncreated' and the latter says 'it is not created'. Ibn Taymiyyah said about this issue: "The first one we know off who said it (i.e. the Qur'an) is created is al-Ja'd b. Dirham and his companion Jahm b. Safwan. And the first one we know off who said it is eternal (qadim) is Abdallah b. Sa'id b. Kullab."

Its evident, again, that a statement like that of Ibn Kullab has been falsely ascribed to Imam Abu Hanifah. And whatever the truth of that statement, its clear to any reader who looks into the history of sects and their beliefs that what we've said is the truth.

The actual author of the Fiqh al-Akbar said also:

“Allah, ta’ala, Speaks without organs and letters, and the letters are created.”

e) The Ahl al-Sunnah oppose this: they declare the opposite. Abu Hanifah could not have said this. Two things will prove our claim.

This is because the scholars collected Hadiths and Athars concerning the sound, and they have made clear that the Salaf affirm for Allah, ta’ala, a Sound, and that His Speech consist of Letters – without how. This is authentically related from Abu Hanifah’s own time, before him and after him. The rejection of the Sound and Letter is a dogma of the Ahl al-Bid’ah.

As for the other evidence: controversy concerning the Sound and the Letter, as many historians highlighted, originated after Imam Abu Hanifah’s time. The evidence can be found in the speech of another Imam, Ahmad b. Hanbal, who rejected whoever rejected the Sound or Letter, as authenticaly transmitted from him by his disciples. No reference has been made by him, or his early followers, to an Athar of Abu Hanifah or someone else before: be he a righteous or evil man. Again, its evident from the earliest reports concerning this that it had been innovated from the time of the Mihna. Ibn Taymiyyah observed this very well: “Speech concerning the Qur’an and the Word: does it consist of Letter and Sound or does it not consist of Letter and Sound is an innovation. It has been innovated at the end of the third century, and became famous in the fourth century.” So how can the Imam foreseen all this!?!

It is clear that pseudo-Abu Hanifah was ignorant, a falsifier. None could have spoke so before the 3rd century, at least not before Imam Ahmad. And those that spoke about this, i.e. afterwards, then none of them referred to Imam Abu Hanifah’s opinion concerning this.

Afterword:

These are a few of the textual impossiblities we’ve mentioned. Its evident that the statements in the Fiqh al-Akbar in the riwayah of Hammad can not be from the pen of Abu Hanifah. Could the text be declared authentic without the impossible statements in it, i.e. could they have been interpolated? The answer is no, based on the many interpolations in it and the testimony that it has been carried by unreliable people. If we could have some trust in it, then we would vouch

only for the title [maybe]. But its clear from all this, i.e. the criticism of the Isnad and Matn, that such a text can impossibly be ascribed to Imam Abu Hanifah. Rather, it bears many traces of being fabricated by Ash'arites or Maturidites. Imam Abu Hanifah is free of it!

Fiqh al-Akbar – version of Abu Muti' al-Balkhi

The Fiqh al-Akbar, actually Fiqh al-Absat, in the riwayat of Abu Muti' al-Hakam b. Abdallah al-Balkhi on the authority of Imam Abu Hanifah is also not reliably transmitted.

We've already spoken a bit on the rules governing the attribution or rejection of works ascribed by others to another. It seems, as I've stated above, that the Riwayah of Abu Muti' is more reliable – and this is true, though it does not make it authentic without any doubt. What follow is similar what we've done with the aforementioned Fiqh al-Akbar version.

The work has been transmitted through al-Husayn b. 'Ali al-Kasghari from Abu Malik Nasran b. Nasr al-Khuttali from Abu'l-Hasan 'Ali b. Ahmad al-Farisi from Nasr b. Yahya from Abu Muti' al-Balkhi. Are these men trustworthy and reliable transmitters? Are they dependable in ascribing a book to the Imam of the Muslims, Abu Hanifah? Let us take another look:

1) al-Husayn b. 'Ali al-Kashghari.

al-Hafidh al-Dhahabi mentioned him, saying:

"Accused of being a liar"

Ibn al-Sam'ani said about him:

"Most of his transmissions and reports are rejected reports (manakir)"

2) Nasran b. Nasr al-Khuttali.

al-Hafidh al-Dhahabi said:

“He transmitted the Fiqh al-Akbar on the authority of ‘Ali b. al-Husayn al-Ghazali, and from him Abu Abdallah al-Husayn al-Kashghari”

– and he did not mention anything more about him, which seems that he acknowledged him to be ‘majhul’, i.e. unknown, cause al-Dhahabi does not know him but for transmitting the book Fiqh al-Akbar.

3) ‘Ali b. Ahmad al-Farisi, Abu’l-Hasan (d.335).

There exist no Tarjama (biography) for him in the books of Rijal, he’s therefore also Majhul.

4) Nasr (or Nusayr) b. Yahya al-Balkhi (d.268).

He’s also Majhul – no Tarjama can be found for him but the one mentioned in al-Qurashi’s al-Jawahir al-Mudiyyah. He did not mention anything about him – i.e. whether he’s reliable or not – but that he died in 268 AH, and that he learned Fiqh from Abu Sulayman [Musa] al-Juzajani [who died after 200/815].

5) Abu Muti’ al-Hakam b. Abdallah al-Balkhi (d.199).

Imam Ahmad said about him:

“It is not fitting that you report from him anything”

Imam Yahya b. Ma’in said;

“He is nothing” and another time “Weak”

Imam al-Bukhari said:

“Weak, upholder of opinion (sahib al-ra’y)”

al-Hafidh Abu Dawud said about him:

“They abandoned his Hadiths, and he was a Jahmite”

Ibn Sa’d, Ibn ‘Adi, Ibn Hibban, Ibn al-Jawziy and others critisized him or indicated his weakness in transmission. al-‘Uqayli calls him ‘salih fi’l-hadith’ and al-Juzaqani accuses him of fabricating Hadith.

Such is the Isnad of this Fiqh al-Akbar – ascribed – to Imam Abu Hanifah, containing those accused of lying and weakness, beside unknown transmitters!

I say: ascribed, not ‘ascribed falsely’ as I said before, because I believe that this work’s ascription needs further investigation. One may say, why? Let us answer this before discussing the text:

First, its clear that both Isnads are severely weak or concoted. One may argue that the first Isnad is weaker because of Muhammad b. Muqatil’s presence and Imam al-Bukhari’s statement about him. The second Isnad is also very weak, it consist of one [or actually two] accused of having lied and another severely weak. But the second Isnad is preferable because it consist of Abu Muti’ al-Balkhi, though declared severaly weak and even of fabricating Hadith, he is in our opinion of a higher standard than Hammad b. Abi Hanifah or any other transmitter who came after Hammad. Abu Muti’ was Qadi of Balkh, and the fair judgement is what has been said by

Ahmad, Yahya b. Ma'in and their like.

Second, the Isnad of Abu Muti' carries a text (matn) which bears more resemblance with the Sunnah than that of Hammad's riwayah. This is evident for any unbiased Muslim who upholds the doctrine of the Ahl al-Sunnah.

Third, the Isnad and the Matn itself of Abu Muti's Riwayah is older than that of Hammad's Riwayah, as we've indicated above and as we shall indicate later.

These three factors give Abu Muti's Fiqh al-Akbar more credit than that of Hammad, though it does not make the work authentic without doubt, nor all passages in it to be authentically confirmed for Imam Abu Hanifah. This has been said, let us turn our eyes on the Matn itself.

As for the Matn, we have two general objections concerning it:

a) The author of the Fiqh al-Akbar from Abu Muti"s riwayah speaks about the issue of al-Istita'ah (capacity), a discussion unknown in the time of the Salaf and even early Khalaf. One of the first who discussed the controversy of Qadar with special reference to al-istita'a and al-kasb was Abu'l-Hasan al-Ash'ari. Though "Abu Hanifah" or "Abu Muti' al-Balkhi" do not go deep into it, it seems that mentioning this concept is another anachronism found in the works ascribed to the Imam.

B) The statement mentioned, "Bila kayf, that is the doctrine of the Ahl al-Sunnah", is indeed true, but I doubt that the Imam had foreseen this famous rule to become an sign of the Ahl al-Sunnah as such. No doubt, many Imams contemporair with Abu Hanifah said this too – as I've shown in this forum – but none stated that this doctrine is that of the Ahl al-Sunnah in the words which the above author gives; rather, they knew and acknowledges this to be so without stating it to be that of the Sunnites as that's evident. What is true is that the scholars thereafter would state explicitly: Without how is the doctrine of the Ahl al-Sunnah. That is what we believe, though he may have said so literally – wa-Allahu A'lam.

It seems that these may be the only valid objections on this text, as we believe, though others could count more. The validity of these objections have been doubted by us, since they are not

very convincing. We would like to illustrate this by countering the doubts by mentioning the indications that testify for the reliability of this text as spoken by the Imam Abu Hanifah, in a general way:

a) Avout the controversy concerning the Tafdil (i.e. the ranking of the Companions) it seems that this is indeed Abu Hanifah's opinion – for it is wellknown that all of Kufah, with the exception of a few Muhaddithun, in his time and before believed that Abu Bakr and ‘Umar were to preferred above all Companions; they only differed concerning the ones who came after them: was it ‘Uthman, or ‘Ali? Many preferred ‘Ali, some ‘Uthman and others were silent. If this text was concoted than the falsifier would'nt have mentioned probably the difference concerning this. He would rather have declared ‘Uthman, then ‘Ali preferable, as most Sunnites do after the time of the Salaf. [This can be corroborated by the fact that the Wasiyyah, also falsily attributed to Abu Hanifah, says so; in fact, this is one of the evidences that Hammad's version is also inauthentic]

B) Another indication which favor the early-ness and therefore authenticity of this tract is the issue concerning the Attributes of Allah, ta'ala. Affirming the Attributes of Anger and Pleasure is indeed the way of the Salaf, and Imam Abu Hanifah is part of that Salaf. If it was concoted by later-day Ash'arites, then we would think that they would hide this or reject it – as some do today!

c) The discussion concerning Iman (belief) in it speak also highly of what the Imam Abu Hanifah professed. This is of course not unique for him, as many stated that.

d) The affirmation of Allah's fawqiyyah and ‘uluww with a meaning befitting the Lord is ample evidence in favoring its authenticity. If it were concoted, then surely none of the neo-Jahmites would have let it stand. In it can be found also a rejection of Tafwid.

Now these are the indications which can make us believe it to be a work from Imam Abu Hanifah, though the doubt still exist.

How then should we judge it? Is it authentically ascribed to Abu Hanifah or not? Are the words in it his or not?

The answer lies in the following probable thesis:

The book al-Fiqh al-Akbar in the riwayah of Abu Muti' is not of Imam Abu Hanifah, but it is rather a work from Abu Muti' al-Balkhi himself. In this case the criticism against it can, partly, be lifted up since Abu Muti' was declared weak by many scholars. That leaves for us one transmitter accused of lying and the rest to be unknown. Ascribing a work, with these defects, to one like Abu Muti', with his faults as a man, is not so risky as ascribing it to one of the Imams of the Ahl al-Sunnah.

It seems that ascribing this work to Abu Muti' al-Balkhi is better attested than ascribing it to Imam Abu Hanifah, rahimahumuallah. The following evidence will confirm this.

Imam al-Dhahabi, the Hafidh said:

“It has reached us that Abu Muti' al-Hakam b. Abdallah al-Balkhi, author of al-Fiqh al-Akbar, said: I asked Abu Hanifah..”

This means that not Abu Hanifah is the author, as claimed by many. It is rather Abu Muti's writing, who's transcribing the answers he asked his Shaykh, i.e. Abu Hanifah, on creed and dogmatics. The text itself bears evidence to this. Those who ascribe a work to the Imam known as Fiqh al-Akbar, incl. the early Ibn al-Nadim, should indicate that it is his student's work not that of the Shaykh himself.

Shaykh al-Islam Ibn Taymiyyah seems to support this, for he does not affirm the Fiqh al-Akbar to be a writing of the Imam himself; also in the passages mentioned by him he indicates that Abu Muti' al-Balkhi transmitted the words of the Imam.

We thus think that the work known as Fiqh al-Akbar (the mss say Fiqh al-Absat, see above) in the transmission of Abu Muti' al-Balkhi is probably not another version of Imam Abu Hanifah's book Fiqh al-Akbar; rather it is a work written by his student, probably, who wrote down what he heard from Abu Hanifah, and transmitted it in the name of the Imam.

Do we therefore declare it to be an authentic book? As for affirming it for Abu Hanifah himself, then: No. As for believing it to be a work by his student, probably yes. As for accepting all what it contains as Imam Abu Hanifah's words, then no: some of it can not simply accepted as such for such a great Imam.

Those who would like to reject the work, both as being that of the Imam and his student, than they have a case too. But this does not answer the seemingly correct tenets it contains which bear evidence in favour of being written by Abu Muti' from what he heard of the Imam.

A Word on both the Versions

Having discussed the seriously defunct Isnads of both works, and the facbricated Matn of one, we can compare the two on four essential points:

– They both claim to be books of Imam Abu Hanifah, but the true is that the version of Abu Muti' is actually not at all of the Imam. This favors the second version.

– The Sanad of Hammad seems to be more defunct than that of Abu Muti', which is again in favor of Abu Muti's riwayah.

– The Matn of Hammad contains evident fabricated tenets and speech, contrary to Abu Muti"s version which does not contain evident fabrications. Again, this nullifies the asperations of the falsifiers in accepting Hammad's riwayah in favor of Abu Muti's.

– The Riwayah of Abu Muti' is older, as stated above and demonstrated, while that of Hammad is recent. No doubt, this must be carried too in weighting its authenticity. We therefore are on firmer ground in rejecting Hammad's and affirming Abu Muti'.

These four points, and the speech that preceded in our criticism of the books, should be considered in rejecting the authenticity of Hammad's Riwayah and accepting – for the moment – the Riwayah of Abu Muti' al-Balkhi.

The Riwayah of Hammad is Unknown

There is one other point, the fifth, which we would like to mention concerning the strong evidence, none would doubt it as we believe, in rejecting Fiqh al-Akbar in the riwayah of Hammad b. Abu Hanifah:

Shaykh al-Islam Ibn Taymiyyah does not know the Fiqh al-Akbar in the Riwayah of Hammad at all. Any sincere scholar would raise some doubts about this, since he was well aware of many books on creeds, and he was one of the most knowledgeable scholars on creed, its history etc.

Shaykh al-Islam was aware of Abu Muti"s Riwayah as preceded. He mentioned in at least four passages of his works the Fiqh al-Akbar, and quoted from it. But he nowhere quoted from Hammad's text. Why?

The answer lies in the fact that this work was fabricated either after him or in his time. If it existed in the 7th or early 8th century, the period Shaykh al-Islam lived in, than undoubtedly he would mention it. If only to reject it!

The Manuscript of Fiqh al-Akbar in Hammad's Riwayah can only be attested in manuscripts written after Shaykh al-Islam's life. In fact, the earliest manuscript of Hammad's version has been dated in 910 AH, as far as we are knowledgeable about it!?! Shaykh al-Islam died in 728 AH, and its probable that the work has been fabricated somewhere between these dates or somewhere nearby. (see also below the reference to Ibn Abi'l-'Izz, the earliest reference quoting Fiqh al-Akbar as found in Riwayaht Hammad)

As for the Fiqh al-Akbar in Abu Muti's Riwayah, than it is attested in the lifetime of Shaykh al-Islam (661-728 AH), and one of the manuscripts of this version is 250 years older than that of Hammad's!?! So how can that be? We've stated before,

"Both versions of the Fiqh al-Akbar have therefore many manuscripts to rely on; the Riwayah of Hammad is more popular, but later in terms of date and authenticity, while the Riwayah of Abu

Muti’ is scarcer, but older and more reliable.”

So the simple reason of this is that one is fabricated, having no ground whatsoever to authenticate it, while the other has some claim for authenticity.

There seems to exist – I’ve never seen it – a commentary of the Fiqh al-Akbar in the Riwayah of Hammad by al-Pazdawi, who died in 482 AH. If this is true, and the Sanad is authentically transmitted to al-Pazdawi then we may affirm this; we may then come back on our claim that it has been fabricated in the 7th or 8th century AH, instead blaming the fabrication somewhere before al-Pazdawi’s time. Untill that, I do not know of any ms of Hammad’s version which can testify for being an early manuscript.

As said before, Abu Muti’s version is better attested – strangely enough if they rejected it! – in earlier manuscripts. The oldest is from sometime before 681 AH, and another is from the year 761 AH.

The objection that Shaykh al-Islam simply wasn’t aware of it, and therefore he didn’t came across of it may be raised, but it is futile. Why? Because none knows the Riwayah of Hammad but latecomers like al-Maghnishawi, Mulla ‘Ali al-Qari and others. An exception is Ibn Abi’l-‘Izz al-Hanafi (d.792), who quoted a passage of the Fiqh al-Akbar which seem to be the one transmitted in Hammad’s name.

The Hafidh al-Dhahabi did not mention it, nor quoted anything of the Fiqh al-Akbar but what can be attested in the Matn of Abu Muti’ al-Balkhi.

Similarly, the Hafidh Ibn al-Qayyim, did not mention Hammad, but he did see and quoted Abu Muti’s words.

So these three Huffadh, and probably many more, saw and quoted Fiqh al-Akbar – without mentioning anything of Hammad’s Matn – again with the exception of Ibn Abi’l-‘Izz as I’ve recently found out.

On top of this, Abu'l-Layth al-Samarqandi (d.373) commented on the Fiqh al-Akbar of Abu Hanifah in the Riwayah of Abu Muti' al-Balkhi, without mentioning Hammad's version. If Hammad's version existed than Abu'l-Layth would have used it in commenting on the words he believes to be of the Imam Abu Hanifah!

To summarize all of this:

The Fiqh al-Akbar in the Riwayah of Hammad b. Abu Hanifah is definetily inauthentic, nay fabricated. The Isnad as well as the Matn testify for this. None of the early reliable scholars quoted it or commented upon it. Nay, neither a manuscript before the 10th century AH can be found for it.

The Fiqh al-Akbar in the Riwayah of Abu Muti' al-Balkhi is not of Imam Abu Hanifah. It seems more to be a work written by Abu Muti' al-Balkhi. The Isnad is weak too, but not so severely weak as that of the other. Its Matn is better attested, though not free of criticism. Early scholars have quoted and commented upon, the like of the 4th century critic of Ash'arism: Abu'l-Layth al-Samarqandi. Also Ibn Taymiyyah, al-Dhahabi and Ibn al-Qayyim, three Imams in the Science of Transmission and Preservation, have attested for its somehow 'early' existence.

By Abu Abdallah.

Even the Imam of Al-Deobandiyyah who is considered a very big authority according to them in their Madhab, Anwar Shaah Kaashmiree, has also negated the authorship of any book by Imam Abu Haneefah. He has declared the student of Imam Abu Hanifah famous as: "Abu Mutee' Al-Balkhee" to be unreliable in Hadeeth, and has declared the book Fiqh al-Akbar to be the book of Abu Mutee, and has clarified in very clear words that Fiqh al-Akbar is not the book of Imam Abu Haneefah. Therefore, he says:

"وأما ما نسب إليه في الفقه الأكبر فالمحدثون على أنه ليس فى تصنيفه، بل من تصنيف تلميذه أبى مطيع البلخي، وقد تكلم فيه

الذهبى، وقال: إنه جهمي، أقول: ليس كما قال، ولكنه ليس بحجة في باب الحديث، لكونه غير ناقد .... والصواب أنها ليست للإمام."

]فيض البارى: كتاب الإيمان[١/٥٩

Translation:

The attribution of Fiqh al-Akbar to Imam Abu Hanifah is wrong according to the Muhadditheen, rather this book is authored by his student Abu Mutee Al-Balkhee, whom Imam Dhahabi has criticized and declared him to be a Jahmee, and I say that he is not a Jahmee, however he is not reliable in the field of hadeeth, because he was not naaqid, and many other books too such as: Kitaab al-Ilm, Wasiyyat Sagheer, Wasiyyat Kabeer etc are also wrongly attributed to the Imam, the authentic saying is that these books are not authored by the Imam [Abu Hanifah].

And Allah, ta'ala, knows best

The book al-Fiqh al-Akbar that is attributed to Abu Haneefah (may Allah have mercy on him)

I am currently studying Tawheed. Is the book AL FIQH AL AKBAR connected to Imam Abu Hanifah? and what is the status of this book amongst the salaf? By which I mean, is there any difference of opinions?

Answer

Praise be to Allah.

Firstly:

The book al-Fiqh al-Akbar that is attributed to Imam Abu Haneefah an-Nu'maan (may Allah have mercy on him), was narrated by Hammaad ibn Abi Haneefah or Abu Mutee' al-Hakam ibn 'Abdullah al-Balkhi. Neither of them is a sound narration from Abu Haneefah (may Allah be pleased with him). Moreover, they both include opinions that are contrary to the view of Ahl as-Sunnah wa'l-Jamaa'ah, as was explained by Dr. 'Abd al-'Azeez ibn Ahmad al-Humaydi in his book Baraa'ah al-A'immah al-Arba'ah min Masaa'il al-Mutakallimeen al-Mubtadi'ah, p. 46-71. But the book is well-known among the Hanafis and is followed by most of them, and it contains good affirmation of some of the divine attributes, such as exaltedness. Hence Ibn Qudaamah, Ibn Taymiyah, Ibn al-Qayyim and adh-Dhahabi (may Allah have mercy on them) quoted from it.

Dr Muhammad ibn ‘Abd ar-Rahmaan al-Khamees wrote a commentary on it entitled ash-Sharh al -Muyassar ‘ala al-Fiqhayn al-Absat wa’l-Akbar al-Mansoobayn li Abi Haneefah. Refer to this commentary to find out what is correct and what is not in the original book. Alternatively, you could read the books of the early generations (the salaf) which are correctly attributed to them, the contents of which are free of anything that is contrary (to sound belief), such as I‘tiqaad as-Salaf Ashaab al-Hadeeth by as-Saabooni; at-Tawheed by Ibn Khuzaymah; at-Tawheed by Ibn Mandah; ash-Sharee‘ah by al-Aajurri; Sharh Usool I‘tiqaad Ahl as-Sunnah wa’l-Jamaa‘ah by at-Tabari al-Laalkaa’i; Ithbaat Sifat al-‘Uluw by Ibn Qudaamah; al-‘Uluw by adh-Dhahabi; al-‘Aqeedah al-Waasitiyyah by Shaykh al-Islam Ibn Taymiyah, and others that are available in printed form, praise be to Allah.

And Allah knows best.